

Exhibit B

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**CONSOLIDATED AMENDED
COMPLAINT**

1 118. Without this class action, Plaintiffs and the Class will be unable to obtain
2 compensation for the harm they suffered, and Defendants will retain the benefits of their unlawful
3 conspiracy.

4 **FIRST CLAIM FOR RELIEF**
5 ***(Violations of Section 1 of the Sherman Act, 15 U.S.C. § 1)***

6 119. Plaintiffs, on behalf of themselves and all others similarly situated, reallege
7 and incorporate herein by reference each of the allegations contained in the preceding paragraphs
8 of this Complaint, and further allege against Defendants and each of them as follows:

9 120. Defendants entered into and engaged in unlawful agreements in restraint of
10 the trade and commerce described above in violation of Section 1 of the Sherman Act,
11 15 U.S.C. § 1. Beginning no later than January 2005 and continuing at least through 2009,
12 Defendants engaged in continuing trusts in restraint of trade and commerce in violation of Section
13 1 of the Sherman Act.

14 121. Defendants' agreements have included concerted action and undertakings
15 among the Defendants with the purpose and effect of: (a) fixing the compensation of Plaintiffs
16 and the Class at artificially low levels; and (b) eliminating, to a substantial degree, competition
17 among Defendants for skilled labor.

18 122. As a direct and proximate result of Defendants' combinations and contracts
19 to restrain trade and eliminate competition for skilled labor, members of the Class have suffered
20 injury to their property and have been deprived of the benefits of free and fair competition on the
21 merits.

22 123. The unlawful agreements among Defendants has had the following effects,
23 among others:

24 a. competition among Defendants for skilled labor has been
25 suppressed, restrained, and eliminated; and

26 b. Plaintiffs and class members have received lower compensation
27 from Defendants than they otherwise would have received in the absence of Defendants' unlawful
28

1 agreements, and, as a result, have been injured in their property and have suffered damages in an
2 amount according to proof at trial.

3 124. The acts done by each Defendant as part of, and in furtherance of, their
4 contracts, combinations or conspiracies were authorized, ordered, or done by their respective
5 officers, directors, agents, employees, or representatives while actively engaged in the
6 management of each Defendant's affairs.

7 125. Defendants' contracts, combinations and/or conspiracies are *per se*
8 violations of Section 1 of the Sherman Act.

9 126. Accordingly, Plaintiffs and members of the Class seek three times their
10 damages caused by Defendants' violations of Section 1 of the Sherman Act, the costs of bringing
11 suit, reasonable attorneys' fees, and a permanent injunction enjoining Defendants' from ever
12 again entering into similar agreements in violation of Section 1 of the Sherman Act.

13 **SECOND CLAIM FOR RELIEF**
14 ***(Violations of the Cartwright Act, Cal. Bus. & Prof. Code §§ 16720, et seq.)***

15 127. Plaintiffs, on behalf of themselves and all others similarly situated, reallege
16 and incorporate herein by reference each of the allegations contained in the preceding paragraphs
17 of this Complaint, and further alleges against Defendants and each of them as follows:

18 128. Defendants entered into and engaged in an unlawful trust in restraint of the
19 trade and commerce described above in violation of California Business and Professions Code
20 section 16720. Beginning no later than January 2005 and continuing at least through 2009,
21 Defendants engaged in continuing trusts in restraint of trade and commerce in violation of the
22 Cartwright Act.

23 129. Defendants' trusts have included concerted action and undertakings among
24 the Defendants with the purpose and effect of: (a) fixing the compensation of Plaintiffs and the
25 Class at artificially low levels; and (b) eliminating, to a substantial degree, competition among
26 Defendants for skilled labor.

27 130. As a direct and proximate result of Defendants' combinations and contracts
28 to restrain trade and eliminate competition for skilled labor, members of the Class have suffered